

**SMITH KAUFMAN LLP**  
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SECRETARY OF THE SENATE

August 12, 2004

VIA CERTIFIED MAIL

Senate Public Records Office  
232 Hart Senate Office Building  
Washington, DC 20510

Leah S. Palmer  
Senior Campaign Finance Analyst  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

**RE: Friends of Barbara Boxer, April Quarterly Report (2/12/04 - 3/31/04)**

Dear Ms. Palmer:

This letter is in response to your letter of July 13, 2004, requesting additional information from the Friends of Barbara Boxer committee with respect to its April Quarterly Report. As counsel to the Boxer committee, we have reviewed your letter and the report in question and have identified the cause of the apparent discrepancies.

As indicated on the attached spreadsheet, all of the sixty-nine contributions referenced in your letter were, in fact, properly reported (or in some instances properly not reported) on the Committee's April report.<sup>1</sup> Certain amendments to the Committee's pre-primary 48 Hour Notices, however, apparently have generated duplicative information within the FEC's data review process, which resulted in certain contributions from the 48 Hour reporting period being double counted. For example, the committee filed an amended 48 Hour Notice on February 25, 2004. The filing of this amended notice apparently resulted in the Commission recording each contribution on the amendment as a newly received, additional contribution from that donor, instead of just amending the reported information about a contribution already received by the committee and already noticed to the Public Records Office.

To prevent this duplication of information from occurring again, and as we discussed with you

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<sup>1</sup> The contribution which was not noticed completely, from George Muhlsten, was identified accurately by date, name, address, occupation, and employer, but due to a clerical error was identified on the 48 Hour Notice as one \$2,000 contribution, although it was really two \$2,000 contributions.

Senate Public Records Office  
 Leah S. Palmer, FEC  
 August 12, 2004  
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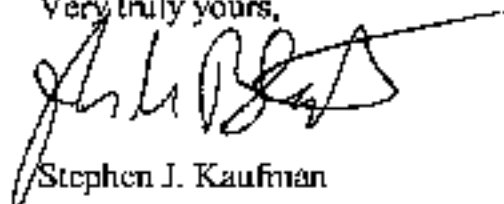
on the phone, the committee will no longer file amended 48 Hour Notices, but will instead merely supplement earlier notices with subsequent notices reflecting any newly received contributions. This will prevent the Commission and the Senate Public Records Office from having to distinguish between newly-filed 48 Hour Notices and amended notices filed to supplement or update previously-filed notices.

To clarify the reporting status of the contributions referenced in your letter, we have added a column to the spreadsheet you prepared which identifies the page number and item identifier (a, b, or c) for each of the contributions which appeared to have been missing from Schedule A. As you will note, each contribution which actually was deposited by or allocated to the Friends of Barbara Boxer committee was accurately reported on the committee's April report.

Where noted, certain contributions were disclosed on a 48 Hour Notice since they were received by an authorized joint fundraising committee of Senator Boxer's, but were not reported by the Friends of Barbara Boxer committee since they were not allocated to that committee. Also, the names of certain donors were either misspelled on the 48 Hour Notice which disclosed the respective contribution or erroneously transcribed by the Commission while reviewing those notices. The spelling under which these contributions were ultimately reported on the April report is accurate, and has been identified in the notation for each respective contribution. Finally, certain contributions were listed in your spreadsheet more than once because they were included on an amendment more than once. These contributions have been identified as duplicates in the notation column.

We trust this information will clarify the sufficiency of the committee's April Quarterly Report, and that its procedures for supplementing 48 Hour Notices in the future will prevent this misunderstanding from recurring. If you have any questions or need any further information with respect to this matter, please feel free to contact us at your convenience.

Very truly yours,



Stephen J. Kaufman  
 Joseph M. Birkenstock\*  
 Attorneys for Friends of Barbara Boxer  
 \*admitted to practice in DC only

SJK:jmb  
 Enclosure

48 Hour Notice Notes

Friends of Barbara Baxer (C00279315)

April Quarterly Report (2/12/04 - 3/31/04)

Primary Election 2004

48 Hour Notice Period (2/12/04 - 2/28/04)

48 HOUR NOTICES			
CONTRIBUTOR NAME	DATE	AMOUNT	NOTATION
MCGRATH, KATHLEEN A	02/23/04	\$ 1,000.00	Reported as "Katie McGrath" on 48 Hour notice dated 2/25/04
MCGRATH, KATHLEEN A	02/23/04	\$ 1,000.00	Reported as "Katie McGrath" on 48 Hour notice dated 2/25/04
MIHLSTEN, GEORGE	02/21/04	\$ 2,000.00	Clerical error, 48 Hour report dated 2/23/04 should have indicated \$4K instead of \$2K
SCHEDULE As			
CONTRIBUTOR NAME	DATE	AMOUNT	NOTATION
ARKIN, SHARON	02/23/04	\$ 1,000.00	Reported on page 17, item c
BALER, DAVID	02/24/04	\$ 1,000.00	Reported as "David Baler" on page 40, item c
BRANSTEN, RENE G	02/19/04	\$ 1,000.00	Reported on page 871, items b & c
BROUMAN, STEVEN	02/19/04	\$ 1,000.00	Reported on page 873, item a
BROWN, TRACY	02/26/04	\$ 1,000.00	Reported on page 873, item c
BROWN, TRACY	02/26/04	\$ 1,000.00	Duplicate record - see explanation in letter
COLEN, LOUIS	02/25/04	\$ 1,000.00	Reported on page 110, item a
CORWIN, BRUCE	02/23/04	\$ 1,000.00	Reported on page 115, items b & c
COE, EVERETT	02/26/04	\$ 1,000.00	Reported on page 105, item c, and page 106, item a
GARRISON, JIM	02/19/04	\$ 1,000.00	Reported as "James Garrison" on page 884, items b & c
GINDI, JACK E	02/26/04	\$ 1,000.00	Reported on page 203, item b
GINOTT, RONA	02/19/04	\$ 1,000.00	Reported on page 203, item a
HURD, GALE ANNE	02/23/04	\$ 1,000.00	Reported on page 279, item b
JAFRA, SUNTA	02/28/04	\$ 1,000.00	Reported as "Sunta Jafra" on page 286, item a
KASS, SUSAN	02/23/04	\$ 1,000.00	Reported on page 732, item a
KING, RICHARD	02/23/04	\$ 1,000.00	Reported as "Richard King" on page 897, item a
KURLAND, DUFF	02/19/04	\$ 1,000.00	Contribution rec'd by joint fundraiser, not allocated to FQBB
LEIBSOHN, RONALD	02/17/04	\$ 1,000.00	Reported on page 329, item a

## 48 Hour Notice Notes

Friends of Barbara Boxer (C00278315)

April Quarterly Report (2/12/04 - 3/31/04)

Primary Election 2004

48 Hour Notice Period (2/12/04 - 2/28/04)

CONTRIBUTOR NAME	DATE	AMOUNT	NOTATION
LICHTER, LINDA	02/23/04	\$ 1,000.00	Reported on page 900, item a
LUBMAN, JUDITH M	02/19/04	\$ 1,000.00	Reported on page 900, item c
MANN, JOHN A	02/23/04	\$ 1,000.00	Reported on page 901, item c
PRUZAN, HERBERT	02/17/04	\$ 1,000.00	Reported on page 464, item b
REDSTONE, EDWARD S	02/26/04	\$ 1,000.00	Reported on page 478, item b
REMY, THOMAS, MOOSE AND MANLEY LLP	02/26/04	\$ 1,000.00	Reported on page 773, item b
REMY, THOMAS, MOOSE AND MANLEY LLP	02/26/04	\$ 1,000.00	Reported on page 774, item b
REMY, THOMAS, MOOSE MAND MANLEY LLP	02/26/04	\$ 1,000.00	Duplicate record - see explanation in letter
ROBINSON, PHIL	02/19/04	\$ 1,000.00	Reported on page 489, item c
RUTMAN, MICHAEL	02/26/04	\$ 1,000.00	Reported on page 503, item c
SAFRAN, THOMAS L	02/28/04	\$ 1,000.00	Reported on page 911, item b
SCHNEIDER, SAN ROSE	02/17/04	\$ 1,000.00	Duplicate record - see explanation in letter
SCHNEIDER, SARI ROSE	02/17/04	\$ 1,000.00	Reported on page 516, item a
SCHUSTER, STEWART	02/19/04	\$ 1,000.00	Reported on page 912, item b
SHIELDS, HENRY JR	02/26/04	\$ 1,000.00	Reported on page 536, item a
SILVER, PAULA	02/17/04	\$ 1,000.00	Reported on page 914, item c
SIMPSON, BARCLAY	02/19/04	\$ 1,000.00	Reported on page 915, item b
SOCKOLOV, ROBERT	02/19/04	\$ 1,000.00	Reported on page 918, item a
SOFERMAN, JUDY	02/17/04	\$ 1,000.00	Reported on page 550, item a
SPELLMAN, MAXINE	02/17/04	\$ 1,000.00	Reported as "Maxene Spellman" on page 917, item c
SPLITZER, ROBERT	02/17/04	\$ 1,000.00	Reported on page 555, item a
SWEDLIN, ROSALLE	02/17/04	\$ 1,000.00	Reported on page 919, item a
TOBIS, FREDRIC	02/17/04	\$ 1,000.00	Reported on page 588, item a
WEINSTEIN, PAULA	02/23/04	\$ 1,000.00	Reported on page 617, item c
WEINSTEIN, RONALD	02/17/04	\$ 1,000.00	Reported on page 618, item a

## 48 Hour Notice Notes

Friends of Barbara Boxer (C00279315)

April Quarterly Report (2/12/04 - 3/31/04)

Primary Election 2004

48 Hour Notice Period (2/12/04 - 2/28/04)

CONTRIBUTOR NAME	DATE	AMOUNT	NOTATION
WESSERMAN, GLENN	02/21/04	\$ 1,000.00	Reported as "Glenn Wasserman" on page 612, item c
ZIERING, MARILYN	02/26/04	\$ 1,000.00	Reported on page 653, item b
DELVEC, WILLIAM	02/20/04	\$ 1,500.00	Reported as "William Delvac" on page 133, item c
BALDWIN, VIRGINIA	02/12/04	\$ 2,000.00	Reported as "John Baldwin" on page 866, item c
BRANDWYNNE, MARCIA	02/23/04	\$ 2,000.00	Reported on page 871, item a
GARDNER, GERALD	02/19/04	\$ 2,000.00	Reported on page 884, item a
GARRISON, JIM	02/19/04	\$ 2,000.00	Reported as "James Garrison" on page 884, items b & c
GIELTSMAN, ALAN L	02/24/04	\$ 2,000.00	Reported on page 886, item a
HARMON, AMY E	02/27/04	\$ 2,000.00	Reported on page 886, item c
KING, RICHARD	02/23/04	\$ 2,000.00	Reported as "Richard King" on page 896, item c
NEILS, NOEL W	02/24/04	\$ 2,000.00	Reported as "Noel Nells" on page 905, item c
NEW BEDFORD PANORAMEX CORP PAC	02/24/04	\$ 2,000.00	Contribution rec'd by joint fundraiser, not allocated to FOBB
NICHOLA, MARY	02/24/04	\$ 2,000.00	Reported as "Mary Nichols" on page 906, item a
RAMSEY, DIANE	02/23/04	\$ 2,000.00	Reported on page 470, item c, and page 471, item a
RICHMAN, ELLEN SCHAPPS	02/23/04	\$ 2,000.00	Reported on page 482, item c
RICHMAN, RICHARD PAUL	02/23/04	\$ 2,000.00	Reported on page 483, item c
RICHMAN, RICHARD PAUL	02/23/04	\$ 2,000.00	Duplicate record - see explanation in letter
SHALANT, JOSEPH	02/24/04	\$ 2,000.00	Reported on page 528, item c
SILVERMAN, CATHERINE A	02/19/04	\$ 2,000.00	Reported on page 615, item a
SOROS, GEORGE	02/26/04	\$ 2,000.00	Reported on page 916, item b
SOROS, SUSAN	02/26/04	\$ 2,000.00	Reported on page 917, item b
TOPEL, MARK	02/26/04	\$ 2,000.00	Reported on page 587, item c
VILLARELGOSA FOR MAYOR	02/19/04	\$ 2,000.00	Reported as "Villaraigosa for Mayor" on page 645, item b

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